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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

MICHELLE MARLA BERKA,
Defendant.

Case: 1:23-cr-20449
Judge: Ludington, Thomas L.
MJ: Morris, Patricia T.
Filed: 08-02-2023 At 11:50 AM
SEALED MATTER (tt)

INDICTMENT

F I L E D
AUG 02 2023
U.S. DISTRICT COURT
FLINT, MICHIGAN

THE GRAND JURY CHARGES:

COUNT ONE
FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)

On or about March 11, 2022, in the Eastern District of Michigan, the defendant, MICHELLE MARLA BERKA, in connection with the acquisition of a firearm, a Masada, Model 9S, 9 mm caliber, semi-automatic pistol, from Showtime Guns & Ammo Sales, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to Showtime Guns & Ammo Sales, as to a fact material to the lawfulness

of such sale of said firearm to the defendant under Chapter 44 of Title 18, in that the defendant represented that she was the actual transferee/buyer of said firearm, when in fact, as the defendant then and there well knew, she was acquiring the firearm for another person; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT TWO
FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)

On or about April 6, 2022, in the Eastern District of Michigan, the defendant, MICHELLE MARLA BERKA, in connection with the acquisition of a firearm, a Kalashnikov, Model K-12, 12 gauge shotgun, from Sheridan Arms, LLC, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to Sheridan Arms, LLC, as to a fact material to the lawfulness of such sale of said firearm to the defendant under Chapter 44 of Title 18, in that the defendant represented that she was the actual transferee/buyer of said firearm, when in fact, as the defendant then and there well knew, she was acquiring the firearm for another person; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT THREE
FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)

On or about June 6, 2022, in the Eastern District of Michigan, the defendant, MICHELLE MARLA BERKA, in connection with the acquisition of a firearm, a Zatstava, Model Z-Pap M70, 7.62x39 mm caliber rifle, from Williams Gun Sight Co., a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to Williams Gun Sight Co., as to a fact material to the lawfulness of such sale of said firearm to the defendant under Chapter 44 of Title 18, in that the defendant represented that she was the actual transferee/buyer of said firearm, when in fact, as the defendant then and there well knew, she was acquiring the firearm for another person; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT FOUR
FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)

On or about August 8, 2022, in the Eastern District of Michigan, the defendant, MICHELLE MARLA BERKA, in connection with the acquisition of a firearm, a Galil, Model Ace Sar, .556 caliber rifle, from Sheridan Arms, LLC, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to Sheridan Arms, LLC, as to

a fact material to the lawfulness of such sale of said firearm to the defendant under Chapter 44 of Title 18, in that the defendant represented that she was the actual transferee/buyer of said firearm, when in fact, as the defendant then and there well knew, she was acquiring the firearm for another person; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT FIVE
FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)

On or about August 22, 2022, in the Eastern District of Michigan, the defendant, MICHELLE MARLA BERKA, in connection with the acquisition of a firearm, a Fostech, Model Tech-15, lower receiver, from Sheridan Arms, LLC, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to Sheridan Arms, LLC, as to a fact material to the lawfulness of such sale of said firearm to the defendant under Chapter 44 of Title 18, in that the defendant represented that she was the actual transferee/buyer of said firearm, when in fact, as the defendant then

and there well knew, she was acquiring the firearm for another person; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

THIS IS A TRUE BILL.

s/Grand Jury Foreperson

GRAND JURY FOREPERSON

Dated:

DAWN N. ISON
United States Attorney

s/Anthony P. Vance

ANTHONY P. VANCE
Assistant United States Attorney
Chief – Branch Offices

s/Katharine Hemann

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Companion Case information MUST be completed by AU

United States District Court Eastern District of Michigan	Criminal Case Co
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to comp

Companion Case Information		Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :		Judge Assigned:
<input type="checkbox"/> Yes	X No	AUSA's Initials: KH

Case Title: USA v. Michelle Marla Berka**County where offense occurred:** Huron County**Check One:** X Felony Misdemeanor Petty Indictment/_____ Information --- no prior complaint. Indictment/_____ Information --- based upon prior complaint [Case number:] Indictment/_____ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].**Superseding Case Information****Superseding to Case No:****Judge:** _____

- Corrects errors; no additional charges or defendants.
- Involves, for plea purposes, different charges or adds counts.
- Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
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Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

Date: August 2, 2023

Katharine Hemann

Assistant United States Attorney

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Attorney Bar #: WSBA #46237

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.